

**ENTERED**

May 13, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISIONRICHARD WARNER WELCH, *et al.*, §  
§  
§

Plaintiffs, §

VS. §

3:23-cv-392

STATE FARM LLOYDS, §

Defendant. §

**ORDER ADOPTING MAGISTRATE JUDGE'S  
MEMORANDUM AND RECOMMENDATION**

On January 23, 2025, the court referred all pretrial matters in this case to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1). Dkt. 22. Judge Edison filed a memorandum and recommendation on April 24, 2025, recommending State Farm's motion for summary judgment, Dkt. 23, be denied in part and granted in part. Dkt. 28.

On May 5, 2025, State Farm filed its objections to the memorandum and recommendation. Dkt. 29. In accordance with 28 U.S.C. § 636(b)(1)(C), this court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this de novo review, the court may "accept, reject, or modify, in whole or in

part, the findings or recommendations made by the magistrate judge.” *Id.*; *see also* Fed. R. Civ. P. 72(b)(3).

The court has carefully considered the objections, memorandum and recommendation, pleadings, and record. The court accepts Judge Edison’s memorandum and recommendation and adopts it as the opinion of the court. It is therefore ordered that:

- (1) Judge Edison’s memorandum and recommendation, Dkt. 28, is approved and adopted in its entirety as the holding of the court; and
- (2) State Farm’s motion for summary judgment, Dkt. 23, is denied as to the Welches’ breach of contract, late payment, bad faith, and deceptive trade practices claims, and granted as to the Welches’ fraud claims.

Signed at the City of San Francisco, California, this 13th day of May,  
2025.

  
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JEFFREY VINCENT BROWN  
UNITED STATES DISTRICT JUDGE